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**TRANSMITTAL  
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(to be used for all correspondence after initial filing)

Application Number	10/764,447
Filing Date	January 27, 2004
First Named Inventor	Dr. Bernard Fresco
Group Art Unit	3736
Examiner Name	
Attorney Docket Number	4029-49

Total Number of Pages in This Submission

**ENCLOSURES (check all that apply)**

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
<div>Remarks</div>		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual name	BERESKIN & PARR
Signature	 Reg. No. 52,520
Date	June 22, 2004

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: <input type="text"/>			
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June 22, 2004



Jay M. Millman B.A.Sc. (Mech. Eng.)  
416 957 1679 jmillman@bereskinparr.com

Your Reference: 10/764,447  
Our Reference: 4029-49

**INFORMATION DISCLOSURE STATEMENT**

Mail Stop Amendment  
The Commissioner of Patents  
& Trademarks  
Alexandria, VA  
U.S.A 22313-1450

Dear Sirs:

**Re: United States Patent Application No. 10/764,447**  
**For: DUAL TONOMETER**  
**Filed: January 27, 2004**  
**Applicant: Dr. Bernard Fresco**

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In accordance with 37 CFR 1.97 and 1.98, and in recognition of the duty of disclosure set forth in 37 CFR 1.56, the applicant hereby submits an Information Disclosure Statement including (1) a listing of patents and other publications of which it is aware, and (2) a copy of each foreign listed item. In accordance with the requirements of 1.97(b)(3), this Information Disclosure Statement is filed before the mailing date of a first Office Action.

A copy of the front page of the International Search Report for the applicant's corresponding PCT application is attached hereto.

The applicant's agent is no longer in possession of a copy of "Adler's Physiology of the Eye", pp. 257-273. However a copy was submitted with an Information Disclosure Statement for the parent patent to this application, which is now Patent No. 6,706,001. Accordingly, it is presumed that the Examiner can access this document in the parent patent's file wrapper. If the Examiner requires a copy of this document from the applicant, please contact the undersigned at 416-957-1679.

Respectfully submitted,

  
Jay M. Millman  
Registration No. 52,520

/tw  
Encl.

*Please send all correspondence to the Toronto office:*

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## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 2

### Complete if Known

Application Number	10/764,447
Filing Date	January 27, 2004
First Named Inventor	FRESCO
Art Unit	3736
Examiner Name	
Attorney Docket Number	4029-49

### U.S. PATENT DOCUMENTS

Examiner Initials *	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code <sup>2</sup> (if known)			
		US-1,637,421	06/23/1926	LIPSCHUTZ	
		US- 1,661,718	02/02/1927	DAVIS	
		US- 2,656,715	03/22/1951	TOLMAN	
		US- 2,882,891	06/24/1957	HUSTED	
		US- 2,984,099	04/08/1957	TOLMAN	
		US- 3,287,957	10/01/1964	MARTENS	
		US- 3,677,074	07/18/1972	MURR	
		US- 3,992,926	11/23/1976	BERRYHILL	
		US- 4,505,278	03/19/1985	ALBAN	
		US- 4,886,066	12/12/1989	INGALZ ET AL.	
		US- 5,174,292	12/29/1992	KURSAR	
		US- 5,176,139	01/05/1993	FEDOROV ET AL.	
		US- 5,197,473	03/30/1993	FEDOROV ET AL.	
		US- 5,349,955	09/27/1994	SUZUKI	
		US- 6,143,011	11/07/2000	HOOD ET AL.	
		US- 6,251,071	06/26/2001	FRESCO ET AL.	
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### FOREIGN PATENT DOCUMENTS

Examiner Initials *	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> (if known)				
		WO97/43946	11/27/97	FRESCO		
		DE-34 21 701 A	12/13/84	JENTOPIK		
		EP 0 584 929	02/03/94	TAKAYOSHI		
		FR 2 542 603	03/14/83	PY		
		RU 2004187	12/15/93			
		SU 0457466	01/25/75			

Examiner  
Signature

Date  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT***(use as many sheets as necessary)*

Sheet

2

of

2

**Complete if Known**

Application Number

10/764,447

Filing Date

January 27, 2004

First Named Inventor

FRESCO

Group Art Unit

3736

Examiner Name

Attorney Docket Number

4029-49

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		Adler's Physiology of the Eye, pp. 257-273	
		Physiology of the Eye, Chapter 3, pp. 31-76	

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.

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